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Report of the Secretary-General on his mission of good offices in Cyprus

I. Introduction

1. The present report on my mission of good offices in Cyprus covers developments from 25 November 2009 to 30 April 2010, and brings up to date the record of activities carried out by my mission regarding the fully fledged negotiations between the Greek Cypriot and Turkish Cypriot leaders. The Security Council, in its most recent resolution 1898 (2009), adopted on 14 December 2009, welcomed the progress made in the negotiations and the prospect of further progress in the near future towards a comprehensive and durable settlement.

II. Background

2. The current round of negotiations was initiated following the agreement of 21 March 2008 between the Greek Cypriot leader, Demetris Christofias, and the Turkish Cypriot leader, Mehmet Ali Talat. At their meeting on 23 May 2008, the two leaders reaffirmed their commitment to a bizonal, bicommunal federation with political equality, as defined by relevant Security Council resolutions. According to the leaders' statement, this partnership will have a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which will be of equal status (see S/2008/353, annex III). On 1 July 2008, they discussed the issues of single sovereignty and citizenship, on which they agreed in principle.

3. During the four-month preparatory period, six working groups were established to initiate a review of the key substantive chapters to be negotiated, as well as seven technical committees to work on confidence-building measures aimed at not only improving the everyday lives of Cypriots, but also at encouraging and facilitating greater interaction among them. On 25 July 2008, having carried out their final review of the preparations made thus far, the leaders decided to launch fully fledged negotiations in September 2008, under my good offices. In a joint statement issued the same day, they stated: "The aim of the full-fledged negotiations is to find a mutually acceptable solution to the Cyprus problem which will safeguard the fundamental and legitimate rights and interests of Greek Cypriots and Turkish Cypriots. The agreed solution will be put to separate simultaneous referenda".

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4. Since the fully fledged negotiations began on 3 September 2008, 31 joint papers have been produced by the leaders, their representatives and experts, setting out the positions of the two sides on the issues and indicating areas of convergence and divergence.

5. On 30 March 2010, Mr. Christofias and Mr. Talat held their final meeting prior to a mutually agreed pause in the negotiations, in the light of the campaigning and holding of elections in the north of Cyprus on 18 April.

III. Work of the good offices

6. Since my previous report (S/2009/610), my Special Adviser, Alexander Downer, and/or my Special Representative, Tayé-Brook Zerihoun, have continued to facilitate a series of meetings between the leaders and between their representatives. My Special Adviser has also met separately with the leaders or their representatives on a regular basis, as well as with political party leaders, representatives of civil society, members of the business community and other prominent personalities, including religious figures, and representatives of a broad cross section of the communities in the north and the south, to hear their views and concerns.

7. My Special Adviser and his team have continued to benefit from the technical support of several international experts on governance and power-sharing and on property. The experts also met with their counterparts from the negotiating teams of both sides on their specific issues of focus.

8. Following up on the initial assessment of the peace process made in the fall of 2009 under Security Council resolution 1325 (2000), a gender consultant was engaged by the United Nations Development Programme (UNDP) to encourage more consistent reflections of gender perspective in the process, in close consultation with local stakeholders and the good offices team. In this respect, in early March 2010 the consultant met with a "gender core group" of Turkish Cypriot and Greek Cypriot women, supporting their efforts to contribute a gender perspective to the negotiating chapters under consideration by the leaders. The group made a first contribution in this regard to the two leaders, providing inputs on the issue of gender in the context of governance and power-sharing. UNDP is currently considering project proposals aimed at further enhancing the role of women in the peace process.

9. During the reporting period, my Special Adviser travelled to Athens in February 2010 and Ankara in March 2010 to meet with Alternate Minister for Foreign Affairs Droutsas and Minister for Foreign Affairs Davutoglu, respectively. Both underlined their full support to the negotiations and expressed their commitment to assisting the parties in finding a timely solution to this long-standing problem. My Special Adviser also kept in close contact with Jose Manuel Barroso, President of the European Commission, directly and through the official appointed to act as the liaison between the Commission and my good offices mission in Cyprus.

10. Throughout the period of this report, I maintained contact with the two leaders on the Cyprus issue and encouraged them to keep up the momentum and to work towards the solution of the problem in the shortest time possible. From 31 January to 2 February 2010, I visited Cyprus for the first time as United Nations Secretary-

General. The objectives of my visit were to demonstrate my personal support to the Cypriot-led talks to reunify the island, to underline the continued commitment of the United Nations to the process, and to stress the need to expeditiously strive for a successful conclusion of the talks. I had constructive separate and joint meetings with the two leaders and witnessed the genuine desire of people for a solution when passing through the Ledra Street/Lokmaci crossing, where I was warmly welcomed by both sides. In their joint statement of 1 February, issued during my visit (see annex I), the leaders stated that a settlement "is in the interest of all and that it will finally bring peace, stability and prosperity to our common home, Cyprus". I left Cyprus with renewed conviction that a solution is within reach.

11. Between January and March 2010, as part of my ongoing efforts to build support for the Cyprus negotiations, I also held several constructive meetings with key leaders and senior officials such as Prime Minister George Papandreou of Greece, Prime Minister Recept Tayyip Erdogan of Turkey, Turkish Minister for Foreign Affairs Ahmet Davutoglu, Greek Alternate Minister for Foreign Affairs Dimitris Droutsas, and President Barroso of the European Commission.

IV. Progress of the talks

12. On 21 December 2009, the leaders issued a joint statement in which they reconfirmed their earlier decision to bolster their efforts by holding intensive rounds of negotiations in January 2010, with the specific aim of reaching further convergence on governance and power-sharing, the economy and European Union matters, as well as continuing discussion on the property issue. They expressed the strong hope that 2010 would be the year of the resolution of the Cyprus problem.

13. Since my previous report, the leaders have met 17 times within the framework of the fully fledged negotiation process, including two rounds of intensive negotiations from 11 to 13 January and 25 to 27 January 2010 and other full-day meetings in January, February and March 2010. From the start of the fully fledged negotiations in early September 2008, until the break at the end of March for the elections in the north, the leaders met 71 times. The meetings between the leaders included 29 meetings to discuss issues related to governance and power-sharing; 5 meetings on European Union matters; 8 meetings on economic matters; 10 meetings on property; 4 meetings on territory; and 2 meetings on security and guarantees. In addition, the meetings of the leaders included six meetings to discuss the issue of citizenship, immigration, aliens and asylum, and seven meetings on various other issues.

14. During the reporting period the leaders continued the second phase of the discussions on three of the chapters: governance and power-sharing, European Union-related matters, and economic matters. The leaders made steady progress on these chapters, reaching further convergence on a number of issues, in addition to convergences previously reached and included in joint papers. They were also able to narrow the gap between their respective positions and explore possibilities for reaching convergence on remaining issues. At the leaders' request, meetings between the respective representatives and technical meetings at the expert level also took place in order to gain a better understanding of each other's position on some areas of divergence and to prepare the groundwork for fuller discussions.

15. Discussions on governance and power-sharing focused on the executive branch, the legislature, federal competences and external relations. Discussions on European Union matters focused mainly on the basis for determining the positions of a united Cyprus in European Union bodies, the implementation of the acquis, derogations, and how to accommodate the settlement within the European Union legal framework. Discussions on economic matters focused on federal competences and functions as well as the federal budget. The expert group on treaties, which was established in September 2009 by the leaders, continued to meet to discuss which treaties will be applicable to a united Cyprus.

16. During the reporting period, earlier negotiations on the property chapter resulted in a joint paper on categories of affected property. This was the first joint paper on this chapter. No meetings were specifically devoted to substantive discussions related to the remaining two chapters, namely, territory and security and guarantees. As for security and guarantees, proposals have been made by a number of interested countries, both formally and informally, to convene multi-party talks, but both sides indicated that it was too soon to discuss these issues.

17. Before the break for the elections in the north, the two leaders issued a joint statement (see annex II) on 30 March 2010, in which they stressed that important progress had been made so far on governance, European Union matters and the economy; that, while the negotiations remained confidential, the leaders "may explain to their communities the progress made so far and the differences that still need to be resolved"; and that they would pursue an exhaustive discussion of "the remaining aspects of the Cyprus problem and the overcoming of the divergent positions soon". The statement represented the commitment of the two leaders to the process and constituted a compromise between maintaining the confidential nature of the negotiations and providing some flexibility for each to address the concerns of their respective constituencies. Subsequently, at a press conference, Mr. Talat gave details on the areas of convergences and Mr. Christofias did the same at an informal meeting of the National Council.

18. Regional and international stakeholders have stepped up their support for the peace talks. The Greek Prime Minister noted the important progress and reiterated his support for Mr. Christofias' approach to the negations during his visit to Cyprus in April 2010. Turkish Prime Minister Erdogan restated Turkey's goal of achieving a lasting comprehensive settlement of the Cyprus problem during an interview with the Greek Cypriot media.

19. On 18 April, in elections held in the northern part of Cyprus, the Turkish Cypriots elected Derviş Eroğlu as their leader, replacing Mr. Talat. Following the elections, Greek Cypriot leader Mr. Christofias and new Turkish Cypriot leader Mr. Eroğlu wrote to me, affirming their commitment to continuing with the talks.

V. Confidence-building measures

20. During the reporting period, three technical committees made progress in the implementation of some of the measures approved in June and July 2008. The technical committee on crime and criminal matters has launched the distribution of road safety leaflets at crossing points and conducted a seminar on children at risk. In addition, the joint contact room for the timely exchange and provision of information on crime and criminal matters has been functioning on a daily basis

since its establishment in May 2009, and work is ongoing to provide it with longer-term premises. The technical committee on cultural heritage is implementing measures related to a pilot project on the restoration of two places of worship, the compilation of an inventory of immovable cultural heritage and the development of an educational computer programme, as well as other outreach activities. Moreover, the committee's advisory board for the preservation, physical protection and restoration of the immovable cultural heritage of Cyprus has been carrying out on-site assessment visits throughout the island. The technical committee on the environment has focused on cooperation for the elimination of illegal dumping sites and the rehabilitation of the affected areas within the buffer zone. The passage of ambulances through crossing points in cases of emergency, established by the technical committee on health matters, is still functioning. UNDP and the United Nations Peacekeeping Force in Cyprus (UNFICYP) continue to provide support to the implementation of some of the key confidence-building measures arising from the activities of the technical committees.

21. On 29 March 2010, following the agreement reached between the leaders on 26 June 2009 (see S/2009/610), the work was launched by the leaders on the seventh crossing point linking the communities. The work, which is managed by UNDP and assisted by UNFICYP, will link the villages of Limnitis/Yeşilirmak, in the north, and Kato Pyrgos, in the south. UNDP will complete by the end of May the reinforcement work on one side of the façade along Ledra Street. The work was launched by me on 2 February 2010, during my visit.

VI. Observations

22. Considerable progress was made in the United Nations-sponsored peace talks in Cyprus during the reporting period. The peace talks, in particular the intensive rounds of early 2010, have generated increasing international focus on reaching a lasting solution in Cyprus. There is now a unique opportunity to make a decisive push forward on the talks.

23. On 18 April 2010, Derviş Eroğlu replaced Mehmet Ali Talat as the leader of the Turkish Cypriot community. Mr. Talat made an important contribution to advancing a solution between Turkish Cypriots and Greek Cypriots, and I look forward to Mr. Eroğlu continuing on that constructive path.

24. My Special Adviser will continue to work with both sides to ensure that the talks continue in a productive and expeditious way. The talks must resume within the established framework of a bizonal, bicommunal federation with political equality, in accordance with the relevant United Nations Security Council resolutions and the leaders' joint statements of 23 May and 1 July 2008.

25. The talks must build on the convergences achieved since the fully fledged negotiations began on 3 September 2008. This significant body of work should provide the basis for breaking new ground in the negotiations and bridging remaining divergences. The broad outline and established parameters of a solution are well known and will facilitate the task of reaching a comprehensive settlement.

26. A solution is well within reach. As the leaders themselves said in their 1 February 2010 statement, however, time is not on the side of a settlement. On 21 December 2009, the two sides expressed their strong hope that they would

conclude the negotiations by the end of 2010, and I share this objective. In pursuit of this objective, I will be monitoring closely over the coming months the progress made in the negotiations. I will submit a further report to the Security Council in November assessing the state of the process.

27. The international community expects the peace process to succeed. Following the change of leadership in the Turkish Cypriot community, the international community has encouraged the continuation of the negotiations in a positive spirit and the pursuit of a settlement based on United Nations parameters set out in the relevant Security Council resolutions.

28. I welcome the constructive involvement of all regional actors in supporting the Cypriots to find a solution. Greece and Turkey continue to demonstrate their commitment and both their leaders have expressed a strong desire for a negotiated and lasting comprehensive settlement.

29. In conclusion, I wish to thank my Special Adviser, Alexander Downer, my Special Representative, Tayé-Brook Zerihoun, and the men and women serving in my good offices mission in Cyprus for the dedication and commitment with which they have discharged the responsibilities entrusted to them by the Security Council.

Annex I

Joint statement of the Cyprus leaders, read out on their behalf by United Nations Secretary-General Ban Ki-moon, United Nations Protected Area, Nicosia, Cyprus

1 February 2010

We, as the two leaders, express our gratitude for the visit of the United Nations Secretary-General to Cyprus, which demonstrates the continued interest of the United Nations and the international community in a comprehensive settlement of the Cyprus problem under the Secretary-General's good offices mission.

Taking this opportunity, we express our appreciation to the Secretary-General for his good offices mission as approved by the Security Council, and for the efforts aimed at finding a mutually agreed solution.

Working groups comprising Greek Cypriots and Turkish Cypriots have devoted time and effort to thoroughly discuss all aspects of the Cyprus problem.

We ourselves, together with our Advisers and our teams, have been working diligently for more than a year on all chapters of the Cyprus problem. We have worked on the basis of the integrated whole approach, which is "nothing is agreed until everything is agreed". Good convergence has already been achieved in some chapters. For the rest, we are determined to work hard to achieve the desired progress.

Over the last three weeks we have worked hard during our intensified negotiations, mainly on the chapter of governance and power-sharing, and achieved important progress.

We express our strong commitment to continue to work on this and the rest of the chapters. We express our confidence that, with good will and determination, we can achieve a solution in the shortest possible time.

It is our common conviction that the Cyprus problem has remained unresolved for too long. We are also aware that time is not on the side of settlement. There is an important opportunity now to find a solution to the Cyprus problem that would take into full consideration the legitimate rights and concerns of both Greek Cypriots and Turkish Cypriots. We are aware that such a settlement is in the interest of all and that it will finally bring peace, stability and prosperity to our common home, Cyprus.

Annex II

Joint statement of the two leaders

30 March 2010

We have been engaged in a serious effort to find a comprehensive settlement to the Cyprus problem in the shortest possible time. We express our appreciation to the United Nations Secretary-General for his mission of good offices entrusted to him by the Security Council and for his efforts aimed at finding a mutually agreed solution of the Cyprus problem.

After many meetings that have taken place to date, and our discussions on all aspects of the Cyprus problem, we are encouraged by the important progress we have made so far on the chapters of governance and power-sharing, European Union matters and the economy, and we are convinced that with perseverance we shall achieve a comprehensive settlement.

We underscore the fact that negotiations are being conducted under the overriding principle of the "integrated whole approach", which means that "nothing is agreed unless everything is agreed".

We are convinced that our mutual concern for the common good of the Greek Cypriots and the Turkish Cypriots and our will for a comprehensive solution will soon lead us to an exhaustive discussion of the remaining aspects of the Cyprus problem and the overcoming of the divergent positions soon, so as to achieve a mutually acceptable solution that will be put to separate simultaneous referendums.

While the negotiations remain confidential, it is recognized that the leaders may explain to their communities the progress made so far and the differences that still need to be resolved.